

104TH CONGRESS
1ST SESSION

H. RES. 221

Providing that consideration in the House of Representatives and its committees and subcommittees thereof of any legislation changing existing law with respect to medicare or medicaid pursuant to the reconciliation instructions of the concurrent resolution on the budget for fiscal year 1996 shall be preceded by adequate time for public examination of such legislation and public hearings thereon, and expressing the sense of the House that the Senate should similarly provide for such public examination and hearings.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 1995

Mr. GEPHARDT (for himself, Mr. BONIOR, Mr. DINGELL, Mr. GIBBONS, Mr. WAXMAN, Mr. STARK, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ANDREWS, Mr. BAESLER, Mr. BALDACCI, Mr. BARCIA, Mr. BARRETT of Wisconsin, Mr. BECERRA, Mr. BEILENSEN, Mr. BENTSEN, Mr. BERMAN, Mr. BEVILL, Mr. BISHOP, Mr. BORSKI, Mr. BOUCHER, Mr. BROWDER, Ms. BROWN of Florida, Mr. BROWN of Ohio, Mr. BROWN of California, Mr. BRYANT of Texas, Mr. CARDIN, Mr. CHAPMAN, Mr. CLAY, Mrs. CLAYTON, Mr. CLEMENT, Mr. CLYBURN, Mr. COLEMAN, Mrs. COLLINS of Illinois, Miss COLLINS of Michigan, Mr. CONDIT, Mr. CONYERS, Mr. COSTELLO, Mr. COYNE, Mr. CRAMER, Ms. DANNER, Mr. DE LA GARZA, Mr. DEFazio, Ms. DELAURO, Mr. DELLUMS, Mr. DEUTSCH, Mr. DICKS, Mr. DIXON, Mr. DOGGETT, Mr. DOOLEY, Mr. DOYLE, Mr. DURBIN, Mr. EDWARDS, Mr. ENGEL, Ms. ESHOO, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FARR, Mr. FATTAH, Mr. FAZIO of California, Mr. FIELDS of Louisiana, Mr. FILNER, Mr. FLAKE, Mr. FOGLIETTA, Mr. FORD, Mr. FRANK of Massachusetts, Mr. FRAZER, Mr. FROST, Ms. FURSE, Mr. GEJDENSON, Mr. PETE GEREN of Texas, Mr. GONZALEZ, Mr. GORDON, Mr. GENE GREEN of Texas, Mr. GUTIERREZ, Mr. HALL of Ohio, Mr. HALL of Texas, Mr. HAMILTON, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HEFNER, Mr. HILLIARD, Mr. HINCHEY, Mr. HOLDEN, Mr. HOYER, Ms. JACKSON-LEE, Mr. JACOBS, Mr. JEFFERSON, Mr. JOHNSON of South Dakota, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSTON of Florida, Mr. KANJORSKI, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Mr. KENNEDY of Massachusetts, Mrs. KENNELLY, Mr. KILDEE, Mr. KLINK, Mr. LAFALCE, Mr. LANTOS, Mr. LEVIN, Mr. LEWIS of Georgia, Mrs. LINCOLN, Mr. LIPINSKI, Ms. LOFGREN, Mrs. LOWEY, Mr. LUTHER, Mrs. MALONEY, Mr. MANTON, Mr. MARKEY, Mr. MARTINEZ, Mr. MAS-

CARA, Mr. MATSUI, Ms. MCCARTHY, Mr. McDERMOTT, Mr. McHALE, Ms. MCKINNEY, Mr. McNULTY, Mr. MEEHAN, Mrs. MEEK, Mr. MENENDEZ, Mr. MFUME, Mr. MILLER of California, Mr. MINETA, Mr. MINGE, Mrs. MINK, Mr. MOAKLEY, Mr. MOLLOHAN, Mr. MONTGOMERY, Mr. MORAN, Mr. MURTHA, Mr. NADLER, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OBERSTAR, Mr. OBEY, Mr. OLVER, Mr. ORTIZ, Mr. ORTON, Mr. OWENS, Mr. PALLONE, Mr. PASTOR, Mr. PAYNE of New Jersey, Mr. PAYNE of Virginia, Ms. PELOSI, Mr. PETERSON of Florida, Mr. PETERSON of Minnesota, Mr. PICKETT, Mr. POMEROY, Mr. POSHARD, Mr. RAHALL, Mr. RANGEL, Mr. REED, Mr. RICHARDSON, Ms. RIVERS, Mr. ROEMER, Mr. ROMERO-BARCELÓ, Mr. ROSE, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SABO, Mr. SANDERS, Mr. SAWYER, Mrs. SCHROEDER, Mr. SCHUMER, Mr. SCOTT, Mr. SERRANO, Mr. SKAGGS, Mr. SKELTON, Ms. SLAUGHTER, Mr. SPRATT, Mr. STENHOLM, Mr. STOKES, Mr. STUDDS, Mr. STUPAK, Mr. TANNER, Mr. TAYLOR of North Carolina, Mr. TEJEDA, Mr. THOMPSON, Mr. THORNTON, Mrs. THURMAN, Mr. TORRES, Mr. TORRICELLI, Mr. TOWNS, Mr. TRAFICANT, Mr. TUCKER, Mr. UNDERWOOD, Ms. VELÁZQUEZ, Mr. VENTO, Mr. VISCLOSKY, Mr. VOLKMER, Mr. WARD, Ms. WATERS, Mr. WATT of North Carolina, Mr. WILLIAMS, Mr. WILSON, Mr. WISE, Ms. WOOLSEY, Mr. WYDEN, Mr. WYNN, and Mr. YATES) submitted the following resolution; which was referred to the Committee on Rules

RESOLUTION

Providing that consideration in the House of Representatives and its committees and subcommittees thereof of any legislation changing existing law with respect to medicare or medicaid pursuant to the reconciliation instructions of the concurrent resolution on the budget for fiscal year 1996 shall be preceded by adequate time for public examination of such legislation and public hearings thereon, and expressing the sense of the House that the Senate should similarly provide for such public examination and hearings.

Whereas the conference report on the concurrent resolution on the budget for fiscal year 1996 (H. Con. Res. 67, 104th Congress) and the accompanying statement of managers contain reconciliation instructions to the Com-

mittee on Ways and Means and the Committee on Commerce that assume reductions in spending on medicare of approximately \$270,000,000,000 below what would be spent on medicare under current law during fiscal years 1996 through 2002;

Whereas that conference report and statement of managers contain reconciliation instructions to the Committee on Commerce that assume reductions in spending on medic-aid of approximately \$182,000,000,000 below what would be spent on medicaid under current law during fiscal years 1996 through 2002;

Whereas that conference report and statement of managers contain reconciliation instructions to the Senate Committee on Finance that assume reductions in spending on medicare and medicaid totalling \$452,000,000,000 below what would be spent on those programs under current law during fiscal years 1996 through 2002;

Whereas approximately 37,000,000 elderly and disabled Americans rely on medicare for their health insurance and health security;

Whereas more than 36,000,000 women, children, and elderly and disabled Americans rely on medicaid for their health insurance and health security, and for protection against the cost of nursing home care;

Whereas hundreds of thousands of doctors, hospitals, laboratories, and other health care providers participate in the medicare and medicaid programs and receive direct or indirect reimbursement for their services from the Federal Government in connection with these two programs;

Whereas administrative and overhead costs are less than two percent of total program costs for medicare and less than

four percent of total program costs for medicaid, far smaller percentages than any private sector health insurance enterprise currently in operation in the United States;

Whereas achieving the level of reductions in medicare and medicaid assumed by the concurrent resolution on the budget for fiscal year 1996 cannot therefore be achieved solely by reducing waste, fraud, and abuse;

Whereas achieving reductions of the magnitude contemplated by the budget resolution can only be accomplished by (1) increasing the payments required from women, children, elderly, and disabled beneficiaries, (2) reducing payments to physicians, hospitals, nursing homes, and other health care providers, (3) reducing coverage for current or future beneficiaries, or (4) some combination of the foregoing three strategies;

Whereas the budget resolution requires committees to submit their reconciliation recommendations to the Committee on the Budget by September 22, 1995;

Whereas as of the date of the introduction of this resolution, no legislative language to achieve the medicare and medicaid cuts contemplated by the budget resolution has been introduced or otherwise made public, so that members of the public and their Representatives in Congress have not had the benefit of adequate time to examine, analyze, and understand the impacts of the changes that will have to be proposed to achieve the contemplated reductions;

Whereas the Congress should serve as a partner with the American people in addressing the Nation's health care needs and problems;

Whereas with the exception of national security matters, there are few reasons for Congress to act behind closed doors in formulating policy that will directly and dramatically impact more than 73,000,000 Americans and their families and will indirectly impact every American;

Whereas there is concern that the lack of public and media access to the formulation of changes in the existing medicare and medicaid laws in connection with the reconciliation process threatens the ability of all affected Americans and their Representatives to evaluate such changes adequately when they are finally made public;

Whereas public hearings on the consequences for the United States and its health care system of any such changes in medicare and medicaid are necessary to educate the public who must live with those consequences and their Representatives in Congress who must act on the forthcoming medicare and medicaid changes: Now, therefore, be it

1 *Resolved*, That—

2 (1) any markup in the committees of the House
3 of Representatives or any subcommittees thereof of
4 any legislation changing existing law with respect to
5 medicare or medicaid pursuant to the reconciliation
6 instructions of the concurrent resolution on the
7 budget for fiscal year 1996 shall be preceded by a
8 minimum of four weeks for public disclosure of the
9 legislative text of such changes, during which time
10 additional and thorough public hearings on such text
11 shall be held;

1 (2) no such legislation shall be considered in
2 the House of Representatives until the requirements
3 of paragraph (1) have been met; and

4 (3) it is the sense of the House that the Senate
5 should guarantee public and media access to and
6 consideration of the legislative text of any changes
7 to be considered in that body by adopting a similar
8 schedule for public disclosure and hearings.

○